

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

STEPHEN F. GASS, J. DAVID FULMER,
and JOEL F. JENSEN

Date: October 21, 2003

Serial No. : 09/929,221

Group Art Unit 3724

Filed : August 13, 2001

For : APPARATUS AND METHOD FOR DETECTING
DANGEROUS CONDITIONS IN POWER EQUIPMENT

Commissioner for Patents
Attention: Examiner Thomas J. Druan
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

DECLARATION OF STEPHEN F. GASS

I, Stephen F. Gass, declare as follows:

1. I am one of the named inventors in the above-identified application.
2. The claims currently pending in the above-identified application describe various woodworking machines.
3. In an Office Action mailed September 12, 2003, the Examiner rejected all claims in the above-identified application under 35 U.S.C. §103(a) in light of U.S. Patent No. 3,785,230 to Lokey combined with U.S. Patent No. 1,551,900 to Morrow. I am filing this declaration to traverse that rejection and to submit evidence that the claims at issue are not obvious.
4. My educational background is in physics. In 1986 I earned a Bachelor of Science degree in physics from Oregon State University, and graduated summa cum laude. In 1990 I was awarded a Ph.D. degree in physics from the University of California San Diego.

5. I have built several woodworking machines that are constructed as required by the claims currently pending in the above-identified application. Those machines have been recognized with the following awards:

- **Chairman's Commendation.** In July 2001, the U.S. Consumer Product Safety Commission reviewed and tested one of the machines. As a result of that review, then-Chairman Ann Brown awarded the saw a Chairman's Commendation for significant contributions to product safety. Only a handful of products have ever won that award. That award was reported nationally on CNN Headline News on July 21 and 22, 2001.

- **Challenger's Award.** At the International Woodworking Fair 2000, in Atlanta, Georgia, woodworking machines constructed as required by the currently pending claims won the Challenger's Award, which is the woodworking industry's highest honor. It recognizes the most innovative and technically advanced improvements to woodworking equipment.

- **Popular Science One of the 100 Best New Innovations.** The magazine *Popular Science* identified the woodworking machines as one of the 100 best new innovations of 2002.

- **Workbench Magazine – One of the Top 10 Tools for 2003.** *Workbench* magazine included the woodworking machines on its list of the top 10 innovative tools for 2003.

- **Woodwork Institute of California Endorsement.** The Woodwork Institute of California has endorsed woodworking machines constructed as required by the pending claims, stating:

As a Trade Association in the construction industry (representing over 250 manufacturers of architectural millwork with an excess of 4,000 employees, all of whom use saws of one type or another) we find your SawStop technology and its potential of eliminating or reducing worker injury of extreme significance. Generally, we would not endorse a commercial product; however the potential benefit to our members and their employees of implementing the SawStop technology on the tools used within our industry overrides such. (Letter dated

11/30/00 from Stanley R. Gustafson, CEO/Secretary, Woodwork Institute of California, to Stephen Gass.)


- Editor's Choice Award, Tools of the Trade. The magazine *Tools of the Trade* awarded its 2001 Editor's Choice Award to the woodworking machines in recognition of the significance of the new technology.

6. The woodworking machines I have built have also been the subject of extensive media coverage, including national coverage by CNN Headline News, by the television program NEXT@CNN, by the Associated Press, and by Paul Harvey on the ABC Radio Network. Numerous magazines around the world have published reports about the woodworking machines and said they were "revolutionary" and "ingenious." Examples of quotes from magazines are set forth below (the media typically refers to the woodworking machines by the name "SawStop"):

- "SawStop: A revolutionary safety device," *FDM*, December 2000, p. 88.
- "This magazine will never endorse a material or machine. We're here to provide an objective report on technologies that are used by secondary plastics processors. Having said that, I was floored by an invention I saw at the recent International Woodworking Fair," *Plastics Machining & Fabricating*, September 2000, p. 58.
- "Revolutionary SawStop May Change the Woodshop,"
- "the next revolutionary safety device," *Woodshop News*, January 2002, p. T30.
- "The ingenious device ..." *Wood & Wood Products*, October 2000, p. 58.


7. I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date: October 21, 2003


STEPHEN F. GASS

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Attention: Examiner Thomas J. Druan, Jr., Group Art Unit 3724, to facsimile number: (703) 872-9306 on October 21, 2003.


David A. Fanning
Date of Signature: October 21, 2003

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